

PUNISHMENT OF CRIMINALS

The subject of punishment for crimes and misdemeanors has of late years received much attention but it is not yet practically solved. Perhaps at all its bearings never will be so well known as the English have been. However that is the case it is now evident that the English have a bird's eye view of the possible ramifications of punishment and which moreover jact themselves as the best method of punishment. Such was Javert the purveyor of Jean Valjean. On the one hand and at the other extreme there is a theory that wrong doing should meet its natural punishment—that is punishment which is the natural and at any rate the effect of the wrong. To be honest between these extremes is no easy task. It is impossible to take into consideration the individual peculiarities in the moral tone of every offender. But usually it happens that the criminal who is not one from inherent moral defects but from circumstantial or ignorance meets the same punishment as the man who is criminal and who can no more be changed than the spots of the leopard. Hence the theory says let punishment be based on the principles of equity. Let it be seen that no more, that the culprit can be just and that instead of having his heart hardened like Jean Valjean he will be reformed by seeing that his misery is the result of natural cause. Unfortunately individual moral tendencies are so complex that the methods of the law cannot take the time and those who enforce them cannot always possess the intelligence to consider what punishment is fit to be meted out for individual wrong doing. A long time must elapse before punishment will be for the reformation of the criminal as well as for the protection of the public if, indeed, we can expect it will ever become so. Beyond all doubt the law and society have made many a Jean Valjean but it is undesirable that the tendency during recent years has been towards the abandonment of severe punishments except for the single crime of murder. It has been well settled by abundant experience that crimes are great and convictions infrequent in proportion as the severity of punishment is in excess of the general sympathy of the time. Many countries and in modern times, have had what writers have actually termed "crime-washing" laws in effect. In the case Mrs. Sadikeiten denounced the cruelty of the law as laid down by her learned husband, the saddler. "The crime," said he, "is rather a favorite of the law, this species of murder being one of its own creation." Nevertheless the law for punishment of crime can only meet general cases; it cannot make exceptions, and therefore it is inevitable that its penalties should sometimes, or in fact often, appear defective or inequitable. It well illustrates one of the difficulties of attaining perfection in human concerns. Severe penalties, and capital punishment particularly, are deplored even by those who feel obliged to oppose their abrogation. But society must protect itself. Safety is paramount. True, something like vindictiveness and injustice will at times appear in the methods it employs as applied to particular cases. But on the whole there is, and perhaps can be, no perfect remedy. Circumstances are so complex that it is hopeless to try to make equitable exceptions to necessary general rules.

THE ORDER OF JESUITS.

Recent dispatches have contained numerous references to the decrees promulgated by the government of France against the Jesuits. It is assumed that these decrees will result in the expulsion of many leading members of the order from the country, say not for whom, it is reported, will be provided in England. It is rather singular that the Jesuits should leave, as they do, the most commanding position of influence in the country. The founder spoke of the society not only as harmless, but actually as a beneficent one in its aims and objects, which were chiefly embraced in the work of higher education as a means of religious influence, while according to the latter the order is little better or little else than a band of political conspirators, waging their conspiracy under the religious profession. It is noticeable, however, that in no country which is actually free does any give any trouble—a fact which might perhaps suggest to statesmen the thought that the best repression would be more lenient. The first of the recent decrees promulgated by the French government says—"The government, considering that further toleration cannot be extended to a society against which the national sentiment has declared itself, have resolved to dissolve the association, and establishments occupied by its members must be closed and vacated within three months, which period may be prolonged until August 31 next in the case of educational establishments attached to the society." The second decree provides that unauthorized congregations must apply to the government for authorization, and that such bodies as shall not seek or eventually obtain authorization, shall be dissolved. These decrees embody a policy which has been employed at intervals by the French government for more than a century. So long ago as 1762 the parliament of Paris forbade any Frenchman to enter the order, and in 1773 Louis XVI issued an edict more severe than any which had preceded it. These decrees have since been confirmed at intervals, down to the present time. Beyond doubt there is a strong sentiment in France and Germany against the order, and the sentiment makes itself felt in politics, literature, and in various other ways, but to Americans the whole business looks a good deal like the manifestation of a childish fear of ghosts and mysteries, rather than a policy actually required for the safety of nations.

At the last congressional elections eleven southern states, namely, Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Texas and Virginia polled 1,297,822 votes, and secured 76 representatives while eight northern states, namely Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, New Hampshire and Ohio polled 1,834,035 votes and secured 63. On the basis of the vote cast the eleven southern states would be entitled to 55 members while the eight northern states would be entitled to 34. The conclusion is inevitable that the south either has no right to such representation in congress or that it has deliberately refused to do so. Both are in fact true for the last being true makes the first true.

There remain in the world nations whose only idea of some men is preferable to their friends; Englishmen seem to look upon the Austrians somewhat in this light. The Vienna *Neue Freie Presse* says that Austria and Germany will henceforth regard the English liberals as enemies who should be instinctively and vigorously opposed. This has been used freely by the liberals as a campaign document and probably w ill be as the English above all other people resent interference in their domestic affairs and believe they never did love the Austrians very devoutly.

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